

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS, EL PASO DIVISION

FILED
10/24/2017
Clerk, U.S. District Court
Western District of Texas

By: RRV
Deputy

USA

vs.

(1) NATIVIDAD ZAVALA-ZAVALA

§
§ CRIMINAL COMPLAINT
§ CASE NUMBER: EP:17-M -04462(1) - MAT
§
§

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 10/22/2017 in El Paso county, in the WESTERN DISTRICT OF TEXAS defendant did, being an alien to the United States, knowingly enter and attempt to enter the United States at a time and place other than as designated by immigration officers in violation of Title 8 United States Code, Section(s) 1325(a)(1).

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts: *"The Defendant, Natividad ZAVALA-Zavala, an alien to the United States and a citizen of Honduras, entered the United States from the Republic of Mexico by wading the Rio Grande River approximately 1.46 miles west of the Paso Del Norte Port of Entry in El Paso, Texas on October 22, 2017, in the Western District of Texas. The place where the Defendant entered is not designated as a Port of Entry by immigration officers."*

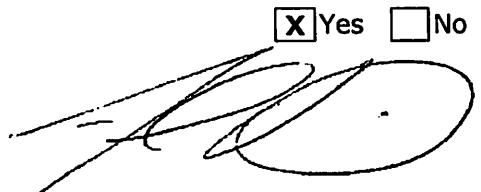
Continued on the attached sheet and made a part of hereof:

☒ Yes ☐ No

Sworn to before me and subscribed in my presence,

10/24/2017
File Date

MIGUEL A. TORRES
UNITED STATES MAGISTRATE JUDGE



Signature of Complainant
Heredia, Frank A.
Border Patrol Agent

at EL PASO, Texas
City and State



Signature of Judicial Officer

CONTINUATION OF CRIMINAL COMPLAINT

WESTERN DISTRICT OF TEXAS

(1) NATIVIDAD ZAVALA-ZAVALA

FACTS (CONTINUED)

The Defendant, Natividad ZAVALA-Zavala, an alien to the United States and a citizen of Honduras, entered the United States from the Republic of Mexico by wading the Rio Grande River approximately 1.46 miles west of the Paso Del Norte Port of Entry in El Paso, Texas on October 22, 2017, in the Western District of Texas. The place where the Defendant entered is not designated as a Port of Entry by immigration officers.

On October 22, 2017, at approximately 9:50 p.m., Border Patrol Agent James R. Lowry observed fourteen individuals cross the Rio Grande River approximately 1.46 miles west of the Paso Del Norte Port of Entry in El Paso, Texas. The Rio Grande River serves as the U.S./Mexico International Boundary. Agent Lowry approached the individuals, identified himself as a United States Border Patrol Agent, and questioned them as to their citizenship. One of the individuals was later identified as the DEFENDANT, ZAVALA-Zavala, Natividad, admitted to being a citizen of Honduras and to making an illegal entry into the United States. After a brief interview, it was determined that the DEFENDANT was not in possession of any immigration documents allowing him to enter, be, or remain in the United States legally. The DEFENDANT was transported to the Paso Del Norte Border Patrol Processing Center for processing. The DEFENDANT was enrolled into the E3/IDENT/NGI system utilizing her fingerprints and photo. The system identified the DEFENDANT and revealed no immigration and negative criminal history. The DEFENDANT was read her rights as per Form I-214 in the Spanish language, which she acknowledged that she understood by signing the form. Because this affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.

IMMIGRATION HISTORY:

NONE

CRIMINAL HISTORY:

NONE